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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

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CONSENT FOR ACCESS UNDER AUTHORITY OF THE INDIANA ENVIRONMENTAL MANAGEMENT ACT

The Indiana Department of Environmental Management (IDEM) as well as responsible parties are obligated under the Indiana Code (IC) 13-24-1 and IC 13-23-1 to pursue investigation and clean up of contamination from leaking underground storage tank sites. Since contamination may migrate off-site due to subsurface migration in soils and/or ground water, access to your property may be needed to determine the extent of and clean up contamination.

Allowing access on your property for delineation and clean up of contamination will help to determine if your property has been impacted, reduce the risk that may be posed by environmental contamination, and may lessen the risk that you would be held liable for this contamination. IDEM does not generally require property owners to investigate and remediate contamination that may have migrated onto their property from an off-site source. However, IDEM has the authority to require access for responsible parties or IDEM to investigate and treat contamination even if it has migrated onto your property.

Access allowed by property owners shall entitle them to receive specific information regarding geophysical methods to be used, time frame of access needed, and actions necessitated by responsible parties or IDEM in performing work. In consenting to access you are not admitting liability or responsibility to reimburse the responsible parties or IDEM for costs, nor does it make any admission concerning the necessity for such activities. Furthermore, responsible parties or IDEM will be liable to repair any damage to your property caused by its activities under this consent for access and that the property is restored to a condition substantially equivalent to that which existed before investigation and remediation, once those activities on the property are concluded.

All information related to the investigation involving your property and consent for access including but not limited to data, sample analysis, photographic records, and reports generated will be made available to you in accordance with applicable statutes and rules.